



**U S Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to Public Notice No.

LRH-1996-803

Issuance Date:

May 30, 2008

Stream:

Ohio River MP 312.4-313.3

Closing Date:

June 30, 2008

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5210

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act.

APPLICANT: Huntington Marine Services, Incorporated
Post Office Box 519
South Point, Ohio 45680

LOCATION: The proposed project is located along the left descending bank of the Ohio River, approximately 313 miles downstream of Pittsburgh, Pennsylvania near the Westmoreland area of Huntington, Wayne County, West Virginia.

DESCRIPTION OF THE PROPOSED WORK: The applicant proposes to construct and operate a 200-barge capacity fleeting facility at this location. The applicant has indicated topside cleaning and repair of barges would be performed. Implementation of the proposal would include the installation of twelve (12) mooring structures (quad ties) situated approximately 25' to 50' from the normal pool shoreline. Nine (9) deadmen anchors would be installed above the normal pool shoreline. The deadmen and dolphins would be installed using water-bourn equipment.

The proposed fleeting area would be of sufficient size to accommodate 200 standard-sized (26'x175') barges. Barges would be moored in four clusters, each of which would be 10-barges wide x 5-barges long as shown in the attached drawing. A variety of barge sizes may be moored at the proposed facility; however any arrangement would not exceed a proposed 320' x 4600' mooring area. The applicant has indicated the fleeting facility is intended for empty barges. No initial or maintenance dredging is proposed. Plans of the proposal are attached to this notice.

Application history for this location: Two applications previously submitted to the Corps for a barge fleeting area at this location were described in two prior public notices issued by this office: Public Notice 199600803-1 and Public Notice 199600803-2. Public Notice 199600803-1, which was issued on July 27, 2001, described W. Stanley James' proposal for a barge fleeting area at this location. Public Notice 199600803-2 was issued on July 14, 2005 and described Huntington Marine Services' proposal for impacts at this location associated with a proposed a barge fleeting area. To afford the previous applicants an opportunity to resolve property right and land use issues, the Corps withdrew and returned the previous applications. Huntington Marine Services current proposal is described in this notice.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places (NRHP) has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the proposed project. A copy of this notice will be sent to the State Historic Preservation Office for their review. Comments concerning the archaeological sensitivity of the project area should be based upon collected data.

ENDANGERED/THREATENED SPECIES REVIEW: The project is located within the known or historic range of the following threatened or endangered species: Indiana Bat, pink mucket pearly mussel, fanshell mussel, sheepsnose mussel, and the snuffbox mussel. The Huntington District has consulted the most recently available information and has determined the proposed project may affect the above listed species. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any

listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

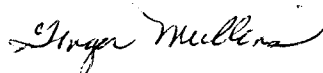
SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice.

If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to:

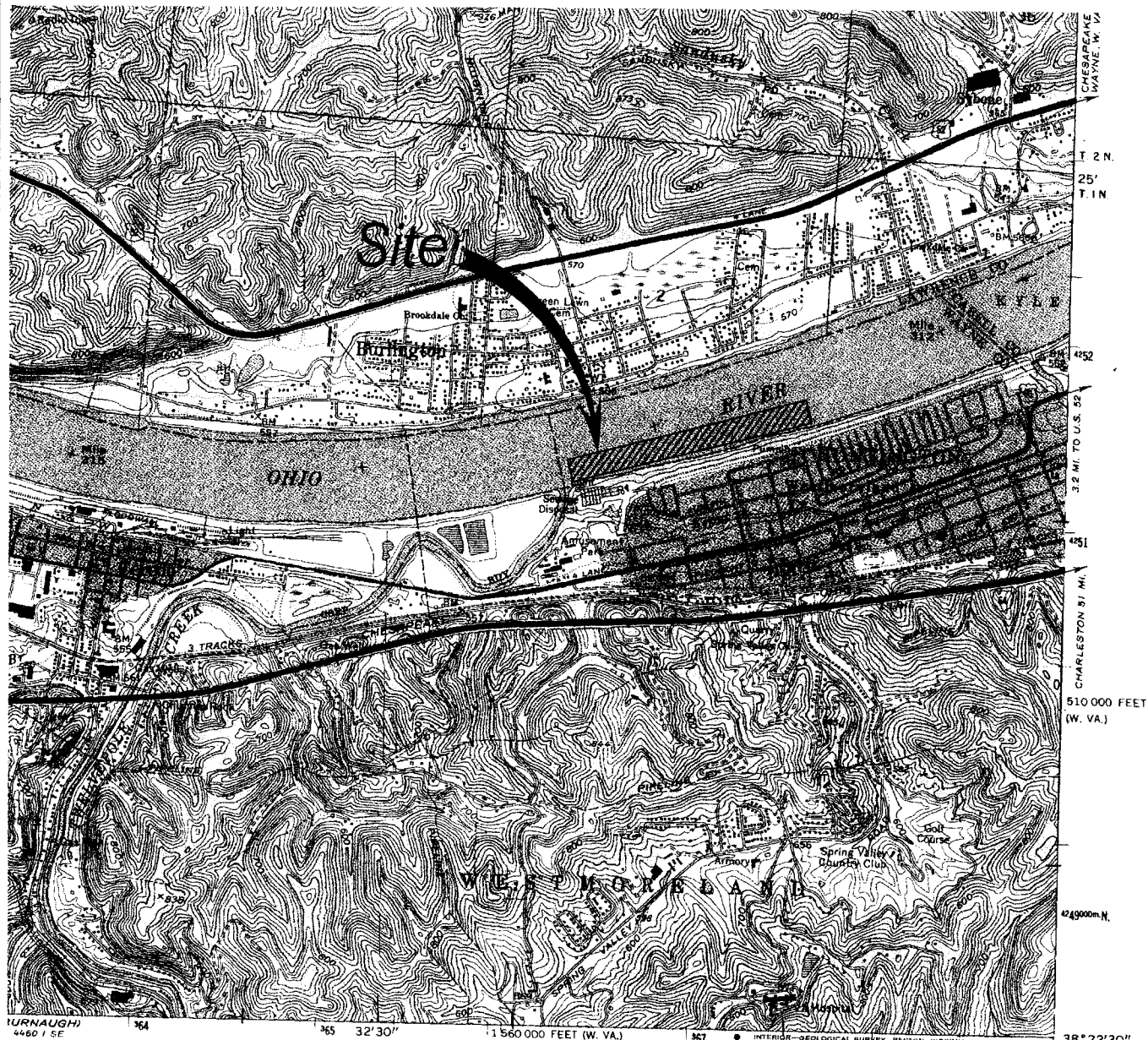
Ms. Susan A. Fields (Attn: LRH-1996-803)
Project Manager, North Regulatory Section
USACE Huntington District
502 Eighth Street
Huntington, West Virginia 25701-2070

Please note, the names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please contact Ms. Fields at (304) 399-5210.

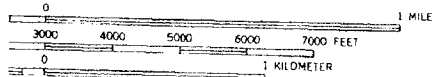


Ginger Mullins, Chief
Regulatory Branch

(O,W)



TURNAUGH
4460 1 SE
SCALE 1:24,000



INTERVAL 20 FEET
PRESENT 10-FOOT CONTOURS
VERTICAL DATUM OF 1929

NATIONAL MAP ACCURACY STANDARDS
HUNTINGTON, COLORADO 80225, OR RESTON, VIRGINIA 22092
HUNTINGTON, KENTUCKY 40506
HUNTINGTON, KENTUCKY 40601
MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Revisions shown in purple compiled in cooperation with
States of Ohio and West Virginia agencies from aerial
photographs taken 1983 This information not field checked
Map edited 1985



QUADRANGLE LOCATION

ROAD CLASSIFICATION
Primary highway, all weather, hard surface
Secondary highway, all weather, hard surface
Light-duty road, all weather, improved surface
Unimproved road, fair or dry weather
Interstate Route U. S. Route State Route

CATLETTSBURG, KY.-OHIO-W. VA.

38082-D5-TF-024

1968
PHOTOREVISED 1985
DMA 4460 1 NE-SERIES V852

Not to Scale

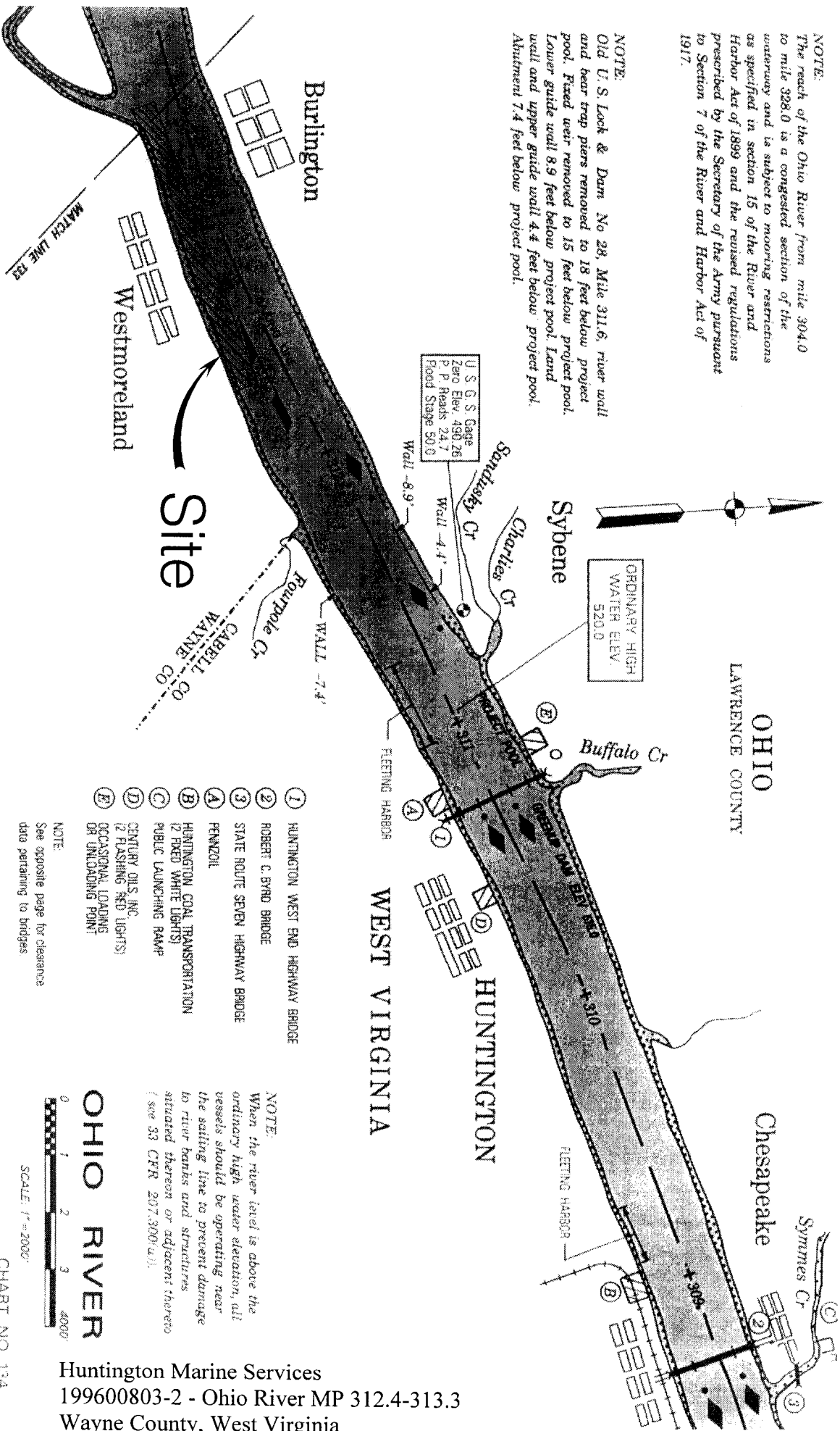
Project No : 05-103
File Name : huntington.dwg
Issue Date : March 1, 2002
REVISIONS

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Huntington Marine Services
199600803-2 - Ohio River MP 312.4-313.3
Wayne County, West Virginia
Location Map (USGS Topo), Sheet 1 of 4

NOTE:
The reach of the Ohio River from mile 304.0 to mile 328.0 is a congested section of the waterway and is subject to mooring restrictions as specified in section 15 of the River and Harbor Act of 1899 and the revised regulations prescribed by the Secretary of the Army pursuant to Section 7 of the River and Harbor Act of 1917.

NOTE:
Old U. S. Lock & Dam No 28, Mile 311.6, river wall and bear trap piers removed to 15 feet below project pool. Fixed weir removed to 15 feet below project pool. Lower guide wall 8.9 feet below project pool. Land well and upper guide wall 4.4 feet below project pool. Abutment 7.4 feet below project pool.



- ① HUNTINGTON WEST END HIGHWAY BRIDGE
- ② ROBERT C. BYRD BRIDGE
- ③ STATE ROUTE SEVEN HIGHWAY BRIDGE
- ④ PENNZOIL
- ⑤ HUNTINGTON COAL TRANSPORTATION
- ⑥ (2 FIXED WHITE LIGHTS)
- ⑦ PUBLIC LAUNCHING RAMP
- ⑧ CENTURY OILS, INC.
- ⑨ (2 FLASHING RED LIGHTS)
- ⑩ OCCASIONAL LOADING
- ⑪ OR UNLOADING POINT

NOTE:
See opposite page for clearance data pertaining to bridges

NOTE:
When the river level is above the ordinary high water elevation, all vessels should be operating near the sailing line to prevent damage to river banks and structures situated thereon or adjacent thereto (see 33 CFR 207.390(a)).

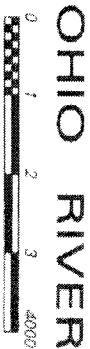


CHART NO. 134

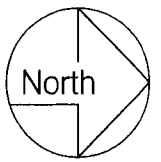
Not to Scale

Project No : 05-103
File Name : huntington.dwg
Issue Date : April 26, 2008
REVISIONS

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Barge Fleeting Permit Exhibit
For
Huntington Marine Service, Inc.
Vicinity Map
Ohio River Mile 312.5 to 313.3 L.D.B.
Huntington, Wayne County, West Virginia

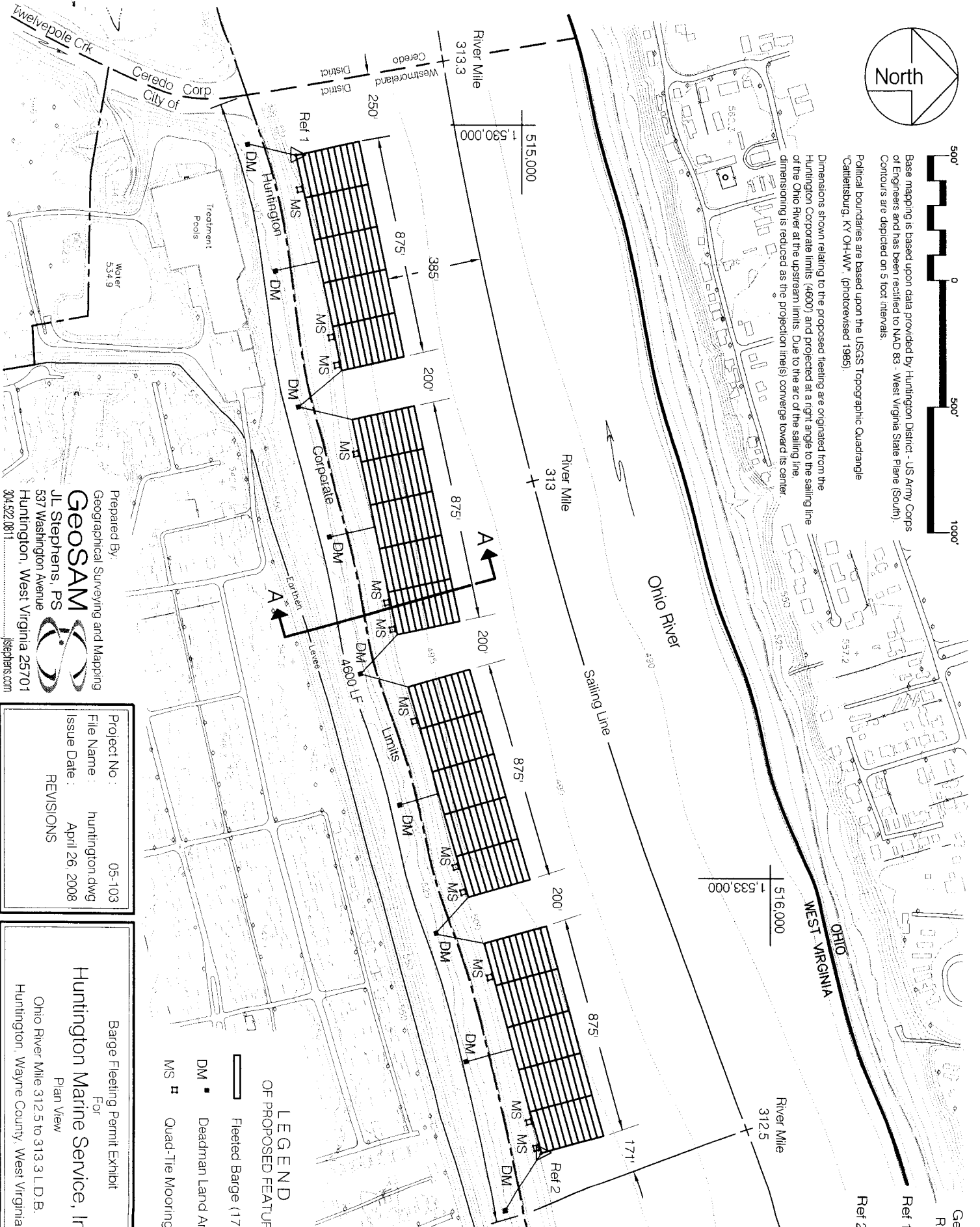
Huntington Marine Services
199600803-2 - Ohio River MP 312.4-313.3
Wayne County, West Virginia
Location Map (Nav. Chart), Sheet 2 of 4



Base mapping is based upon data provided by Huntington District - US Army Corps of Engineers and has been rectified to NAD 83 - West Virginia State Plane (South). Contours are depicted on 5 foot intervals.

Political boundaries are based upon the USGS Topographic Quadrangle 'Cattlettsburg, KY OH-WV', (photorevised 1985).

Dimensions shown relating to the proposed fleet are originated from the Huntington Corporate limits (4600') and projected at a right angle to the sailing line of the Ohio River at the upstream limits. Due to the arc of the sailing line, dimensioning is reduced as the projection line(s) converge toward its center.



Geographical
References

Ref 1 N 51.4082
E 1530.120
Ref 2 N 51.5080
E 1534.108

LEGEND OF PROPOSED FEATURES

- Fleeted Barge (175' x 26')
- Deadman Land Anchor
- Quad-Tie Mooring Structure

Barge Fleet Permit Exhibit

For

Huntington Marine Service, Inc.

Plan View

Ohio River Mile 312.5 to 313.3 L.D.B.
Huntington, Wayne County, West Virginia

Project No : 05-103

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REVISIONS

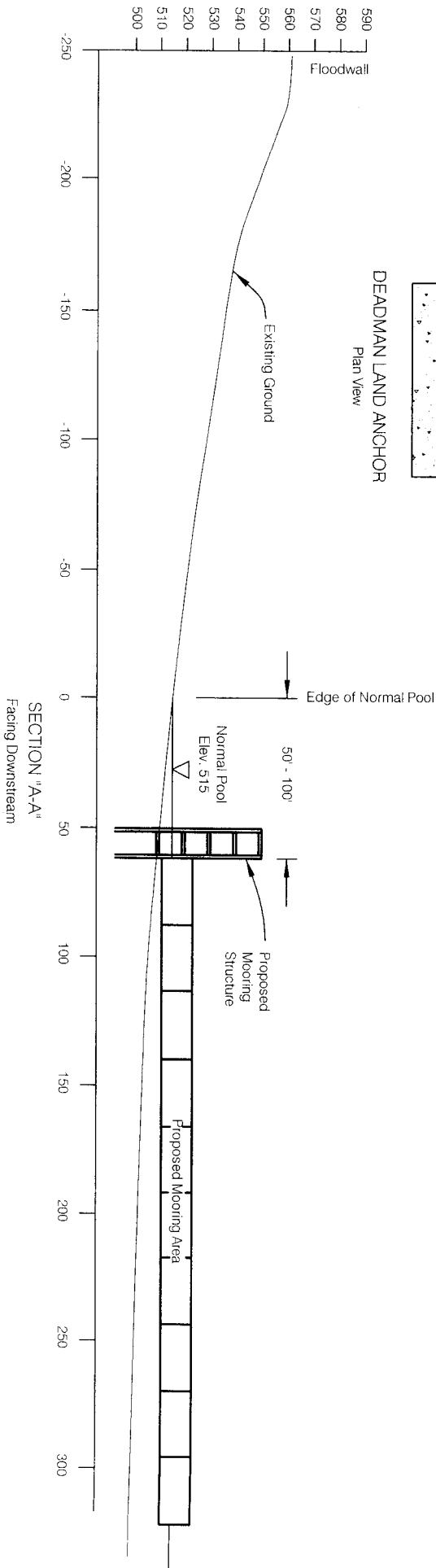
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Huntington Marine Services
199600803-2 - Ohio River MP 312.4-313.3
Wayne County, West Virginia
Plan View, Sheet 3 of 4

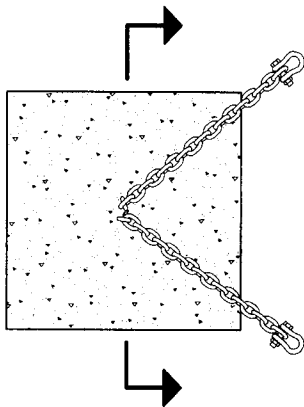
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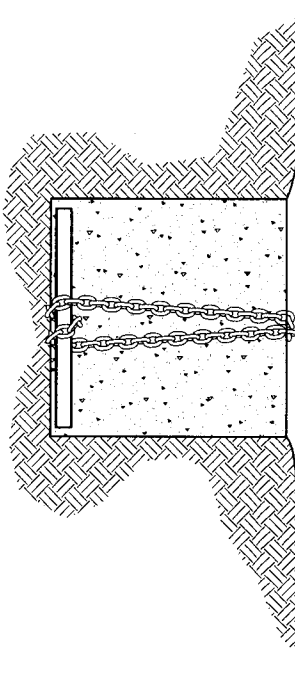
Barge Fleeting Permit Exhibit
For
Huntington Marine Service, Inc.
Typical Details and Cross-Sections
Ohio River Mile 312.5 to 313.3 L.D.B.
Huntington, Wayne County, West Virginia



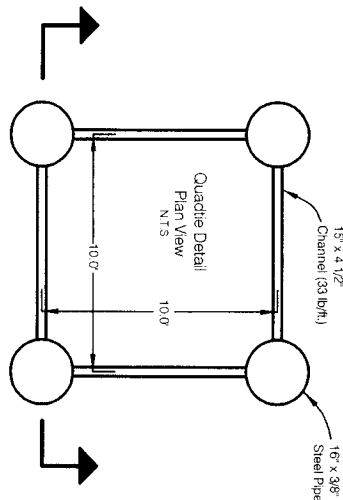
DEADMAN LAND ANCHOR
Plan View



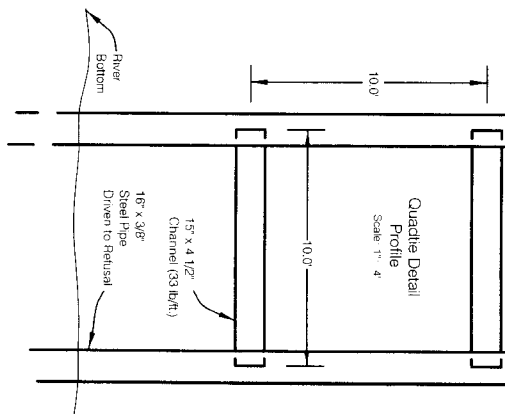
DEADMAN LAND ANCHOR
Section View



QUADTIE DETAIL
Plan View
N.T.S.



QUADTIE DETAIL
Section View
N.T.S.



Huntington Marine Services
199600803-2 - Ohio River MP 312.4-313.3
Wayne County, West Virginia
Cross Section View, Detail Plan View & Cross Section
View of Mooring Structures, Sheet 4 of 4